

REMARKS

Claims 1-13 were pending in this application, with Claims 1 and 12 being independent. Claims 1 and 13 have been amended. Claim 10 has been canceled. No new matter has been added.

ARGUMENTS

Claim 1 as amended provides that the cavities containing the active substance are configured to have openings (from which the active substance can be released) facing toward the central axis of the lumen through which the body medium (e.g., blood) flows. In this manner, the claimed invention facilitates the release of the active substance preferentially or directionally into the fluid medium and downstream to the area where the active substance is targeted, rather than directing or promoting active substance release into the vessel wall. See, for example, the discussion in the specification at ¶[0011], lines 5-11 (“release in direction of the vessel wall must be avoided”), ¶[0030], lines 1-6 and lines 10-13, and ¶[0053], last four lines. This inside flow and directionality of active substance release is in contrast to Ragheb, which is cited as disclosing flow of the body medium both inside and outside, where it can be absorbed by the vessel wall at the site of implantation. Momma teaches the same type of flow. Neither Momma nor Ragheb discloses, teaches or suggests a structure which promotes the release of active substance as described in Claim 1.

Accordingly, Ragheb does not anticipate nor render obvious (either alone or in combination with Momma or Meyer-Lindenberg) the presently claimed invention.

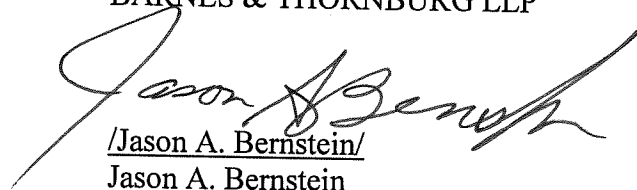
CONCLUSION

Applicant submits that the present application is in condition for allowance and respectfully requests such action. If the Examiner has any questions that can be answered by telephone, please contact the undersigned attorney of record at the telephone number listed below. It is requested that, if necessary to effect a timely response, this paper be considered a Petition for an Extension of Time sufficient to effect a timely response with the fee for such

extensions and shortages in other fees being charged, or any overpayment in fees being credited,
to the Account of Barnes & Thornburg LLP, Deposit Account No. **50-4913**.

Respectfully submitted,

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